



# LINCOLN CHAFEE

## U.S. SENATOR

### RHODE ISLAND

**FOR IMMEDIATE RELEASE**  
**Thursday, May 19, 2005**

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## **SENATOR CHAFEE KICKS OFF DEBATE ON ENDANGERED SPECIES ACT**

*Subcommittee Chairman Encourages Dialogue on Habitat Provisions*

**WASHINGTON, DC** – U.S. Senator Lincoln Chafee (R-RI), Chairman of the Senate Committee on Environment and Public Works' Subcommittee on Fish, Wildlife, and Water today called to order the Subcommittee's first hearing on the Endangered Species Act (ESA), the nation's most comprehensive and hotly debated wildlife conservation law. Senator Chafee touched on a number of issues relating to the Act, but specifically emphasized the importance of bipartisan compromises to find common ground and consensus between all groups possibly affected by the legislation.

Specifically, Senator Chafee announced that a bipartisan group of five Senators have joined him in requesting that The Keystone Center (Keystone) initiate a dialogue among stakeholders on the issue of critical habitat. Keystone is a non-profit organization specializing in neutral, professionally managed dialogue, mediation and facilitation.

Critical habitats are areas designated as essential to the conservation of a species, and are necessary for the recovery of an endangered or threatened species. Development is not allowed in areas designated as Critical Habitat. Since habitat loss is the most prevalent cause of endangerment, protection is essential to conserve endangered and threatened species and the ecosystems upon which they depend. Interpretations of Critical Habitat provisions in the ESA have been subject to heated debate and criticism, and led to a multitude of lawsuits as to the intent of Congress on this issue.

"As Critical Habitat is one of the Endangered Species Act's most debated and litigated provisions, my colleagues and I are beginning to explore new ways to address this issue. I look forward to the outcome of the Keystone dialogue," Senator Chafee said, following his announcing a request to The Keystone Center. "Similar to the efforts of my father,

Senator John Chafee (R-RI), in moving forward the Endangered Species Recovery Act of 1997, I believe it is possible to pursue bipartisan legislative options for the ESA.”

Keystone will convene a cross-sector “Working Group on Habitat Issues.” Goals of the working group will be to seek common ground and provide guidelines on the protection, maintenance, and enhancement of habitat needed to stabilize and recover threatened endangered species in the U.S. The letter to Keystone requests that the working group be comprised of approximately 15-20 individuals who:

- Represent diverse industry, non-governmental organizations (NGO), and agency perspectives;
- Have standing and recognition among the interest groups they broadly represent;
- Believe that new and creative thinking is needed at this time; and
- Are willing to engage in a disciplined give-and-take round of discussions through the summer.

The group will consider the current effectiveness of the ESA’s habitat protection language and recommend any improvements or changes to conserve habitats and help endangered species, while also taking into consideration concerns voiced by the NGOs and others regulated by critical habitat provisions.

Originally signed into law by President Richard M. Nixon, the Endangered Species Act of 1973 was enacted as a response to concerns about the decline of species across the globe, largely due to economic growth and development. A stated purpose of the ESA is to protect the ecosystems of which listed species are a part. The authorization for spending under the ESA expired on October 1, 1992. The prohibitions and requirements of the ESA remain in force, even in the absence of an authorization, and funds have been appropriated to implement its administrative provisions in each subsequent fiscal year.

The 109th Congress is likely to consider various proposals to amend the Endangered Species Act of 1973. In addition to Critical Habitat procedures, major issues may include changing the role of science in decision-making, incorporating further protection and incentives for property owners, and increasing protection of listed species, among others.

“The ESA has provided critical safeguards to species and their habitats and, despite its flaws, has been a success. The reintroduction of wolves in Yellowstone National Park; the current delisting of the American Bald Eagle from the endangered species list; and even the management of the threatened piping plover in Rhode Island are all examples of the power of the ESA to protect and recover species,” Chafee continued at the hearing today. “We find ourselves in a position to take a hard look at the effectiveness of the ESA and how successful it has been at recovering species and bringing them back from near extinction.”

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